

This thesis called Arbitration contract in international and national business transactions deals with arbitration contract and its position not only in legal environment of the Czech republic but also at international stage. First chapter focuses mainly on evolvement of arbitration contract from the Middle Ages till now and its modern form that is regulated in the Act No. 216/1994 Coll., on Arbitration Proceedings and on Enforcement of Arbitral Awards, in New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards and also in UNCITRAL Model law. Next chapters discuss concept of arbitration proceedings and consider it important in order to better explain nature of arbitration contract that is one of the most important aspects of this kind of proceedings. Next chapter deals with essentials of arbitration contract from which its validity arises. Mainly, it emphasizes important requirements that parties need to agree upon while negotiating arbitration contract. It does not forget also additional requisites that are recommended. Particularly, it compares situation when parties also negotiate these additional terms and situation when they do not do so and draws some conclusion. The aim of this thesis is to also look at the right of appeal that becomes popular for the parties and therefore appears more often in this kind of contracts. It focuses especially on legal affect of arbitration contract containing such term. In connection with it, this thesis deals with proceedings of arbitral institutions regarding validity of contracts containing right of appeal. Next chapter discusses not only validly concluded arbitration contract but also defective clauses lacking certain essentials and proceedings concerning this matter, particularly looking at validity of such clauses. This thesis encompasses all aspects of arbitration contract and places it into the arbitration. In addition, it deals with some proceedings in order to offer broader view of this alternative dispute resolution.